## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

COREY HARRIS, et. al.,	)
Plaintiffs,	)
v.	) C.A. No. 04-281 Erie
GREATER ERIE COMMUNITY	}
ACTION COMMITTEE, et al.,	)
Defendants.	ý

## **MEMORANDUM ORDER**

Plaintiff's civil complaint was received by the Clerk of Court on September 23, 2004, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on February 28, 2006, recommended that the Defendants' Motion to Dismiss (Doc. Nos. #43, 45, and 47) be granted; it was further recommended that the pending motions to amend (Doc. Nos. 40 and 5) filed by the Plaintiff be denied as futile. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Plaintiff by certified mail P.O. Box 3618, Erie, PA 16508 and Objections were filed by Plaintiff on March 9, 2006. After de novo review of the pleadings and documents in the case, together with the report and recommendation and objections thereto, the following order is entered:

AND NOW, this loth Day of March, 2006,

IT IS HEREBY ORDERED that the Defendants' Motions' to Dismiss (Doc. Nos. 43,45, and 47) are GRANTED,

IT IS FURTHER ORDERED that the Plaintiff's Motion to Amend (Doc. Nos. 40 and 51) are DENIED as futile.

The report and recommendation of Magistrate Judge Baxter, dated February 28, 2006, is about as the opinion of the Court. This case is dismissed with prejudice.

Sean J. McLaughlin, United States District Judge

cc: Susan Paradise Baxter, United States Magistrate Judge

All parties of record. nmk